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| APPLICATION NO.                                                                            | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|--------------------------------------------------------------------------------------------|-------------|----------------------|------------------------|------------------|
| 10/040,844                                                                                 | 01/07/2002  | Carol DelGaudio      | END920010070US1        | 2719             |
| 7590                                                                                       | 02/16/2006  |                      | EXAMINER               |                  |
| John R. Pivnichny<br>IBM Corporation, N50/040-4<br>1701 North Street<br>Endicott, NY 13760 |             |                      | KRISCIUNAS, LINDA MARY |                  |
|                                                                                            |             |                      | ART UNIT               | PAPER NUMBER     |
|                                                                                            |             |                      |                        | 3623             |

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|------------------------------|------------------------|---------------------|
|                              | 10/040,844             | DELGAUDIO ET AL.    |
| Examiner                     | Art Unit               |                     |
| Linda Krisciunas             | 3623                   |                     |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). .

## Status

1)  Responsive to communication(s) filed on 07 January 2002.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-20 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 07 January 2002 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date Jan 7, 2002.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 8, 14 and 17 are rejected under 35 U.S.C. 102(a) as being anticipated by "Tangram Partners with Datasign AG to Meet Growing European Demand for Lifecycle IT asset management".

As per claims 1, 8, 14 and 17 Tangram teaches an integrated lifecycle management tool (paragraph 2: "lifecycle asset management") comprising: a customer account manager application for defining financial relationships of owners of said workstations (paragraph 4: "automatic tracking and management of physical, financial and contractual asset information"); a workstation planning and deployment manager application for defining capital plans for the workstations (paragraph 4: "disaster recovery and business continuity planning; software audits and license compliance; virus protection; lease management; fixed asset reconciliation; technology planning and procurement; and desktop standards enforcement."); a client information manager application for maintaining information about the owners of the workstations and for entering deployment information of workstations to owners (paragraph 4: "automatic tracking and management"); and an asset information manager application for maintaining capital asset information for said workstations, and for receiving updates

from the client information manager application (paragraph 4: "automatic tracking and management").

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-7, 9-13, 15-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Tangram Partners with Datasign AG to Meet Growing European Demand for Lifecycle IT asset management" in view of Harris et al (US 5,878,416).

As per claims 2 and 9, Tangram does not explicitly teach correlating owners to representatives. Harris teaches that it is known that the customer account manager application is adapted to correlate departments of owners to IT representatives (See Figures 2, 3a and 3b where the product contains an item number (106) and the recipient (172) or owner is listed (Fig 3a) and the IT representative in charge of this piece of equipment is listed under contact (118) in Figure 3b). Harris is an analogous art as it also teaches about asset management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the asset management system of Tangram with the owner/IT representative correlation of Harris to provide a more efficient means of matching and allocating resources.

As per claims 3 and 10, Tangram does not explicitly teach correlating owners to business areas. Harris teaches that it is known that the customer account manager

application is adapted to correlate department of owners to a business area (location (186) and column 4, lines 40-56: "Match module 30 receives allocation data 14 from mail server 18. Match module 30 identifies the first portion of allocation data 14 provided by submitter 13 and generates match data for the item for transmission to inventory database 32. The match data represents the first portion of allocation data 14, in whole or in part, and may duplicate some or all of the first portion of allocation data 14. For example, the first portion of allocation data 14 might include the name, location, telephone number, facsimile number, network address or other information concerning a person to contact if the item is desired by another individual, group, department, site, or other recipient within the organization. The corresponding match data might include some or all of the identical information or representations of that information. As discussed below, matching system 10 may associate the match data for the item with the inventory data 34 for the item in inventory database 32" whereby the match module would match data using individual, group or department information.). Harris is an analogous art as it also teaches about asset management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the asset management system of Tangram with the owner/business area correlation of Harris to provide a more efficient means of matching and allocating resources.

As per claims 4, 11, 15 and 18, Tangram does not explicitly teach about allocating inventory. Harris teaches that it is known that workstation planning and deployment manager application is adapted to allocate an available inventory of

workstations (column 2, lines 27-53: "FIG. 1 illustrates an exemplary automated system 8 for matching an item of business property to a recipient. System 8 includes matching system 10 and routing system 12. Matching system 10 receives allocation and authorization information for an excess or otherwise available item from routing system 12 and matches the item to a recipient associated with an item request. The item may be any tangible piece of equipment or other business property owned, leased, managed, maintained, or otherwise under the control or supervision of the organization or for which the organization may be responsible. In one embodiment, the item is an excess item that, although operable, is not needed by a particular individual, group, department, or site with which the item is presently associated or for which there is a higher priority elsewhere within or outside the organization. Allocation refers generally to any suitable process for physically transferring an item from one or more individuals, groups, departments, or sites within an organization to a recipient within or outside the organization. Allocation of an item may be in the form of transfer within the organization, disposal, employee gift, donation, sale, or any other disposition suitable for the needs of the organization. Matching refers generally to any suitable process for finding, locating, identifying, associating, assigning, choosing, or otherwise determining a recipient to which an item may be allocated in some suitable manner."). Harris is an analogous art as it also teaches about asset management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the asset management system of Tangram with the owner/business area correlation of Harris to provide a more efficient means of matching and allocating resources.

As per claims 5 and 12, teaches the client information manager application is adapted to reassign a usable workstation to another owner (column 2, lines 37-42: "In one embodiment, the item is an excess item that, although operable, is not needed by a particular individual, group, department, or site with which the item is presently associated or for which there is a higher priority elsewhere within or outside the organization.").

As per claims 6, 13 and 19, teaches the client information manager application is adapted to initiate disposal of a replaced workstation (column 7, lines 64-67: "If match module 30 is unable to match an item to a recipient, the item may be allocated by disposal, employee gift, donation, sale, or in some other suitable manner.").

As per claims 7, 16 and 20, teaches the asset information manager application is adapted to receive net book values for workstations from a financial system (column 9, lines 62-67: "For each item the organization may wish to allocate in some manner during the life of the item or organization, inventory data 34 may include, without limitation: a net book or other value associated with the item 182; a fixed asset identifier 184 indicating whether the item is a fixed asset of the organization; a location identifier 186 indicating the location of the item").

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about lifecycle management: Gullotta et al (US 6,985,955), McCaslin (US 6,868,397), Shay et al (US 2002/0194045),

"Smurfit-Stone upgrades to Datastream 7i; Company expects substantial savings from industry's first web-architected enterprise asset management solution", PR Newswire, October 29, 2001; "Tangram offers product exchange program to remedy asset management customers", Business Wire, October 9, 2001; "Tangram pioneers new lifecycle asset management methodology" PR Newswire, April 26, 2001; and "The Home Depot Selects ON Technology Solution for Centralized Management of 150,000 plus retail workstations", PR Newswire, December 3, 2001.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMK  
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February 10, 2006

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